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US ATTORNY'S OFFICE

212 P.02

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
JOSE LANDA

and GARLAN SUPERMARKET, INC.,

08 Civ. 5830 (BSJ) (DFE)
ECF Case

Plaintiffs,

- against -

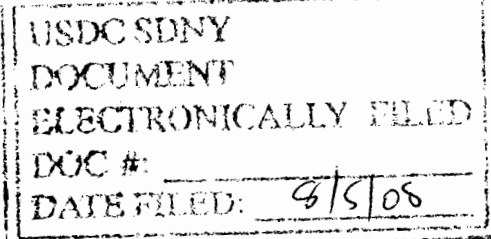
STIPULATION AND ORDER
OF SUBSTITUTION AND
STAY OF DISQUALIFICATIONUNITED STATES DEPARTMENT OF
AGRICULTURE, FOOD AND CONSUMER
SERVICE,Defendant.
----- X

WHEREAS, on or about June 27, 2008, plaintiffs Jose Landa and Garlan Supermarket, Inc., filed a complaint against defendant United States Department of Agriculture, Food and Consumer Service (the "USDA"), to challenge a determination by the USDA to disqualify Garlan Supermarket, Inc., from participation in the Supplemental Nutrition Assistance Program (formerly known as the "Food Stamp Program") for two years; and

WHEREAS, the parties entered into a stipulation, so-ordered by the Court on July 3, 2008, staying the disqualification until July 30, 2008;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties, by their respective counsel, as follows:

1. Pursuant to 7 U.S.C. § 2023(a)(13), the United States of America shall be substituted as the defendant in this action in place of the USDA. The parties agree that the USDA shall be dismissed with prejudice and without costs or attorneys' fees to any party. The caption of this action shall be amended accordingly.



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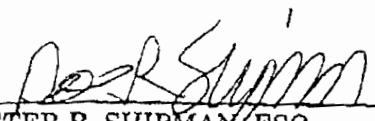
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2. The stay of disqualification shall remain in effect up to, and including,
September 2, 2008.

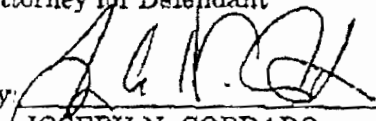
Dated: Bronx, New York
August _____, 2008

CODELIA & SOCORRO, P.C.
Attorneys for Plaintiffs

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Dated: New York, New York
August 1, 2008

MICHAEL J. GARCIA
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Southern District of New York
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By: 
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SO ORDERED.

Dated: New York, New York
August 5, 2008


THE HONORABLE BARBARA S. JONES
UNITED STATES DISTRICT JUDGE